

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

2010 JAN 27 PM 2:44

Docket NO. 09A-817CP-EXT

2010 JAN 27 PM 2:44

IN THE MATTER OF THE APPLICATION OF: Boulder Wilderness Shuttle, LLC
4525 Martin Drive
Boulder, CO 80305

FOR AUTHORITY TO:

For an order of the Commission authorizing extension of operations under Certificate of Public Convenience and Necessity PUC No. 55777. CPCN PUC No. 55777 as extended, would read as follows: **Please see attached Exhibit A for explanation of extension.**

LEGAL REPRESENTATION FOR THE COLORADO SIGHTSEER, INC.

In the matter of the application of Boulder Wilderness Shuttle, LLC., for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire. The interests of The Colorado Sightseer, Inc. PUC 54166 will be represented by Owner and President, Heath A. Fuehrer.

As per requirements of Administrative Law Judge Paul C. Gomez in Decision No.R10-0039-I, Paragraph 25, and Section 13-1-127,C.R.S.; (a) The Colorado Sightseer, Inc. is a closely-held entity and has no more than three owners, (b) the amount in controversy does not exceed \$10,000 as the controversy revolves around the Applicant's requirement, by law, to prove (1.) that there is a public need for the service proposed in Docket NO. 09A-817CP-EXT, and (2.) that the existing carriers' services are "substantially inadequate", (c) The Colorado Sightseer, Inc. wishes to have its interests in this and all future P.U.C. matters and proceedings to be represented by Heath A. Fuehrer. (d) Heath A. Fuehrer is Owner and President of The Colorado Sightseer, Inc.

This is the sworn testimony of Heath A. Fuehrer.

By: Heath A. Fuehrer
Heath A. Fuehrer, President
The Colorado Sightseer, Inc.

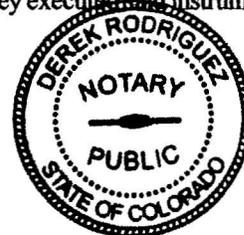
STATE OF COLORADO
COUNTY OF JEFFERSON

On this 26 day of JANUARY, 2010 before me personally appeared HEATH A. FUEHRER, known to me to be the persons who executed the within and foregoing instrument, and acknowledged that he/she/they executed said instrument as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal.

My commission expires: April 8, 2013

Derek Rodriguez
Notary Public



My Commission Expires April 8, 2013

Submitted to Colorado PUC E-Filings System

EXHIBIT A: SIDE 1

IN THE MATTER OF THE APPLICATION OF BOULDER WILDERNESS SHUTTLE, LLC, FOR AUTHORITY TO EXTEND OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 55777.

DOCKET NUMBER(S):

09A-817CP-EXT
09A-817CP-EXT-TA

APPLICANT(S):

Boulder Wilderness Shuttle, LLC
4865 Darwin Court
Boulder, CO 80301

FILED ON:

November 5, 2009

TYPE(S):

Permanent and Temporary

2009 OCT 27 PM 2:44
FILED
CLERK

For an order of the Commission authorizing the temporary and permanent extension of Certificate of Public Convenience and Necessity (CPCN) PUC No. 55777. CPCN PUC No. 55777, as extended, would read as follows:

(I) Transportation of passengers and their baggage in call-and-demand limousine service: (A) between all points in the County of Boulder, State of Colorado, on the one hand, and all points in the Counties of Clear Creek, Gilpin, Grand, Lake, Larimer, Jefferson, and Summit, State of Colorado, on the other hand; (B) between all points in the County of Boulder, State of Colorado, and between said points, on the one hand, and all trailheads and points accessing (i) Arapahoe National Forest, (ii) Roosevelt National Forest, (iii) Wilderness areas located within Arapahoe and Roosevelt National Forests, (iv) Golden Gate Canyon State Park, and (v) Jefferson County Open Space in Jefferson County, Colorado, on the other hand; (C) between all points in the Counties of Boulder and Gilpin, State of Colorado; (D) between all points within a six-mile radius of the intersection of 14th Street and Champa Street, Denver, Colorado, on the one hand, and all trailheads accessing (i) Roosevelt National Forest, (ii) Rocky Mountain National Park, (iii) City of Boulder Open Space and Mountain Parks in Boulder, Colorado, (iv) Golden Gate Canyon State Park, and (v) Jefferson County Open Space in Jefferson County, Colorado, on the other hand; and (E) between all points in the County of Boulder, State of Colorado, on the one hand, and the Wild Animal Sanctuary in Keenesburg, Colorado, on the other hand.

(II) Transportation of passengers and their baggage in call-and-demand charter service: (A) between all points in the County of Boulder, State of Colorado, on the one hand, and all points in the Counties of Clear Creek, Gilpin, Grand, Lake, Larimer, Jefferson, and Summit, State of Colorado, on the other hand; (B) between all points in the County of Boulder, State of Colorado, and between said points, on the one hand, and all trailheads and points accessing (i) Arapahoe National Forest, (ii) Roosevelt National Forest, (iii) Wilderness areas located within Arapahoe and Roosevelt National Forests, (iv) Golden Gate Canyon State Park, and (v) Jefferson County Open Space in Jefferson County, Colorado, on the other hand; (C) between all points in the Counties of Boulder and Gilpin, State of Colorado; (D) between all points in the County of Boulder, State of Colorado, on the one hand, and the Wild Animal Sanctuary in Keenesburg, Colorado, on the other hand; (E) between all points within a six-mile radius of the intersection of 14th Street and Champa Street, Denver, Colorado, on the one hand, and all trailheads accessing (i) Roosevelt National Forest, (ii) Rocky Mountain National Park, (iii) City of Boulder Open Space and Mountain Parks in Boulder, Colorado, (iv) Golden Gate Canyon State Park, and (v) Jefferson County Open Space in Jefferson County, Colorado, on the other hand; (F) between all points in the County of Boulder, State of Colorado, on the one hand, and (i) the Black Canyon of the Gunnison National Park, (ii) Dinosaur National Monument, (iii) Florissant Fossil Beds National Monument, (iv) Colorado National

Monument, (v) Great Sand Dunes National Park, and (vi) Mesa Verde National Park, on the other hand.

(III) Transportation of passengers and their baggage in call-and-demand sightseeing service between points in the City of Boulder, Colorado, on the one hand, and Gross Reservoir, County of Boulder, State of Colorado, on the other hand.

(IV) Transportation of passengers and their baggage in scheduled service between: (A) the Hotel Boulderado, 2115 13th Street, Boulder, Colorado, the Millennium Harvest House, 1345 28th Street, Boulder, Colorado, the St. Julian Hotel & Spa, 900 Walnut Street, Boulder, Colorado, the Boulder Marriott, 2660 Canyon Boulevard, Boulder, Colorado, and the Boulder Outlook Hotel, 800 28th Street, Boulder, Colorado, on the one hand, and the 4th of July Trailhead and the Hessie Trailhead, located west of Nederland, Colorado, on the other hand; (B) all points within a ten-mile radius of the intersection of Broadway Street and Canyon Boulevard, Boulder, Colorado, on the one hand, and all trailheads in Roosevelt National forest that are accessible via Colorado Highways 7, 72, and 119, on the other hand; and (C) all points within a ten-mile radius of the intersection of Broadway Street and Canyon Boulevard, Boulder, Colorado, on the one hand, and all trailheads on the portion of Colorado Highway 7 known as the Peaks To Peaks Highway, on the other hand.

(V) Transportation of passengers and their baggage in scheduled and sightseeing service between all points within a ten-mile radius of the intersection of Broadway Street and Canyon Boulevard, Boulder, Colorado, on the one hand, and all points in Estes Park, Colorado, and Rocky Mountain National Park, on the other hand.

Restrictions:

- (1) Items (I)(A) and (II)(A) are restricted to providing transportation services to or from points in Jefferson County that are located west of a line beginning at the intersection of Colorado Highway 93 and the Boulder County line, thence south and east on Colorado Highway 93 to its intersection with U.S. Highway 6, thence south and east on U.S. Highway 6 to its intersection with Colorado Highway 470, thence south and east on Colorado Highway 470 to its intersection with the Douglas County line;
 - (2) Items (I)(A), (II)(A), and (II)(C) are restricted against providing transportation service to or from any casino located in Black Hawk or Central City, Colorado;
 - (3) Items (I)(B) and (II)(B) are restricted such that any transportation service provided between points in Boulder County must either originate or terminate at trailheads and points that access (i) the City of Boulder Open Space and Mountain Parks, (ii) County of Boulder Open Space, (iii) Eldorado Canyon State Park, (iv) Roosevelt National Park, and (v) the Switzerland Trail;
 - (4) Item (I)(C) is restricted to providing transportation services to points on roads and trails that are accessible to bicycles and bicycle support vehicles.
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